

PREET BHARARA
United States Attorney for the
Southern District of New York
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15 MISC 00018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	<u>STIPULATION AND ORDER</u>
IN RE NONJUDICIAL CIVIL FORFEITURE	:	
PROCEEDING REGARDING \$917,568.25 IN	:	
UNITED STATES CURRENCY SEIZED ON	:	
SEIZED ON OR ABOUT AUGUST 1, 2014	:	15 MISC.
FROM BB&T BANK ACCOUNT NUMBER	:	
0005224875551.	:	
-----x	:	

WHEREAS, on or about August 1, 2014, the Honorable Theresa Carroll Buchanan, United States Magistrate Judge, Eastern District of Virginia, issued a seizure warrant authorizing the seizure of all funds in BB&T Bank account number 0005224875551 (the "BB&T Bank Account");

WHEREAS, on or about August 6, 2014, \$917,568.25 in funds (the "Subject Currency") was seized from the BB&T Bank Account;

WHEREAS, on or about October 22, 2014, the United States Postal Inspection Service ("USPIS") received a claim from MTACC, Inc., asserting its interest in the Subject Currency;

WHEREAS, Title 18, United States Code, Section, 983(a)(3)(A) provides that, "[n]ot later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a Court in the district in

which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties”;

WHEREAS, pursuant to Title 18, United States Code, Section, 983(a)(3), the United States is required to file a civil complaint to forfeit the Subject Currency no later than Tuesday, January 20, 2015;

WHEREAS, the Government, by and through Assistant United States Attorney Jonathan Cohen, and MTACC, Inc., by and through its attorney, Jean-Jacques Cabou, Esq., are discussing a possible disposition of this case and desire a 30-day extension, until February 19, 2015, of the deadline for the Government to file a complaint against the Subject Currency in order to continue those discussions;

WHEREAS, by stipulating to the extension of the Government’s time to file a complaint, as set forth below, MTACC, Inc. does not waive any right, argument or defense it might assert in this litigation including but not limited to challenges to venue and jurisdiction;

NOW, THEREFORE, IT IS HEREBY ORDERED, upon agreement of the
aforementioned parties and pursuant to Title 18, United States Code, Section 983(a)(3)(A), that the
time in which the Government is required to file a complaint for forfeiture of the Subject Currency
is extended from January 20, 2015, up to and including February 19, 2015.

Dated: New York, New York
January 11, 2015

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 

Jonathan Cohen
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1/20/15
DATE


MTACC, Inc.

By: 

Keith W. Miller, Esq.
Jean-Jacques Cabou, Esq. (admission *pro hac vice* pending)
Attorney for Claimant – MTACC, Inc.
30 Rockefeller Plaza, 22nd Floor
New York, NY 10112-0015
Telephone: (602) 351-8003
Fax: (602) 648-7003

1/15/15
DATE

So Ordered:


UNITED STATES DISTRICT JUDGE (PART I)
SOUTHERN DISTRICT OF NEW YORK

1/20/15
DATE